

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Freddie W. Smith et al.	Examiner:	GEORGE A. BUGG
Serial No.:	10/791,187	Group Art Unit:	2612
Filed:	March 1, 2004	Confirmation:	3185
Title:	REMOTE COMMUNICATION DEVICES, RADIO FREQUENCY IDENTIFICATION DEVICES, WIRELESS COMMUNICATION SYSTEMS, WIRELESS COMMUNICATION METHODS, RADIO FREQUENCY IDENTIFICATION DEVICE COMMUNICATION METHODS, AND METHODS OF FORMING A REMOTE COMMUNICATION DEVICE		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AFFIDAVIT UNDER 35 C.F.R. 1.131

I, John Patrick Ward, hereby declare that:

- 1) I am a citizen of the United States of America and currently a resident of the town of Los Gatos in the state of California.
- 2) I am a patent attorney in the law firm of Greenberg Traurig, LLP, and a member of the California Bar. I am registered to practice before the United States Patent and Trademark Office. I and other members of my firm represent the assignee of the above referenced patent application, Keystone Technology Solutions, LLC.
- 3) I believe that prior to August 24, 1999 the inventors, Freddie W. Smith and Dirgha Khatri, conceived of the invention as described and claimed in the above referenced patent application.
- 4) I believe on August 11, 1999, as evidenced by the attached Exhibit A, a complete copy of the parent application of the above referenced application was forward to the inventors

for review, in addition to requesting inventor signatures for filing the parent application of the present application.

- 5) Attached as Exhibit B is a copy of a reminder, dated August 25, 1999, repeating the request of August 11, 1999 for inventor signatures for filing the parent application of the present application.
- 6) The parent application Serial No. 09/389,534 was filed on September 2, 1999 without inventor signatures.
- 7) The present application is a continuation application of the parent application Serial No. 09/389,534.
- 8) I declare, to the best of our knowledge, all statements made in this document are true, and that all statements made on information are believed to be true; and further, that these statements were made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified patent application or any patent issued thereon.

Respectfully submitted,

Date: December 18, 2008

/John P. Ward/
John P. Ward
Reg. No. 40,216

Customer Number 64494
GREENBERG TRAURIG, LLP
(650) 328-8500 Telephone
(650) 328-8508 Facsimile

Appendix A

Wells, St. John, Roberts, Gregory & Matkin P.S.
Attorneys-at-Law

Randy A. Gregory
Mark S. Matkin
Mark W. Hendricksen
Deepak Malhotra
George G. Grigel
Keith D. Grzelak
David G. Latwesen, Ph.D.

Patents, Trademarks and Copyrights

601 West First Avenue, Suite 1300
Spokane, Washington 99201-3828 U.S.A.

Tel: (509) 624-4276

Fax: (509) 838-3424

James D. Shaurette
Fritz M. Fliegel, Ph.D.
Thomas A. Olson
D. Brent Kenady
James L. Price*
† Patent Agent
* Admitted in MI Only

Greek Wells (1897-1980)

August 11, 1999

Of Counsel
Richard J. St. John
David P. Roberts

Ms. Monica Kesling
Micron Communications, Inc.
8000 South Federal Way
Boise, ID 83706-9632

Re: U.S. Patent Application
"Remote Communication Devices, Radio Frequency
Identification Devices, Wireless Communication Systems,
Wireless Communication Methods, Radio Frequency
Identification Device Communication Methods, and
Methods of Forming a Remote Communication Device"
Your Reference: 97-1389
Our Reference: MI40-195

Dear Monica:

Enclosed is a complete copy of the above patent application, together with a Declaration, Assignment and Power of Attorney by Assignee. If the application correctly presents the invention, please see that the Declaration and Assignment are signed where indicated by each inventor. Please be reminded that, according to PTO rules, an inventor's signature on the Declaration must appear *exactly* as it is typed. Should the application require revision, please contact me. The Power of Attorney by Assignee and Certificate by Assignee should be executed on behalf of Micron Communications after execution of the application papers by the inventors.

Our patent laws require that the application be filed in the PTO within one year of the first public or commercial use of the invention, its first disclosure in a printed publication, or the first offer of a product of the invention for sale. Any such events should be called to my attention.

Also, everyone involved in filing a patent application has a duty to disclose pertinent background information (prior art) on the invention to the PTO. We are required to disclose all prior art that the PTO might consider pertinent in evaluating patentability of the invention. Failure to do so can jeopardize the validity of an issued patent.

Ms. Monica Kesling
August 11, 1999

Wells, St. John, Roberts,
Gregory & Matkin P.S.

We will mail you a complete copy of the signed version of the application within a few days after it is filed with the Patent and Trademark Office.

We appreciate the opportunity to serve you in preparing this application. Please call if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'James D. Shaurette', with a long horizontal line extending to the right.

James D. Shaurette

JDS:plp

Enclosures: Draft Patent Application and Drawings; Declaration; Assignment; Power of Attorney by Assignee

Copy: Freddie W. Smith (w/application and drawings)
Dirgha Khatri (w/application and drawings)
Michael L. Lynch, Esq. (w/application and drawings)

Appendix B

Wells, St. John, Roberts, Gregory & Matkin P.S.
Attorneys-at-Law

Randy A. Gregory
Mark S. Matkin
Mark W. Hendricksen
Deepak Malhotra
George G. Grigel
Keith D. Grzelak
David G. Latwesen, Ph.D.

Patents, Trademarks and Copyrights

601 West First Avenue, Suite 1300
Spokane, Washington 99201-3828 U.S.A.

Tel: (509) 624-4276

Fax: (509) 838-3424

James D. Shaurette
Fritz M. Fliegel, Ph.D.
Thomas A. Olson
D. Brent Kenady
James L. Price*

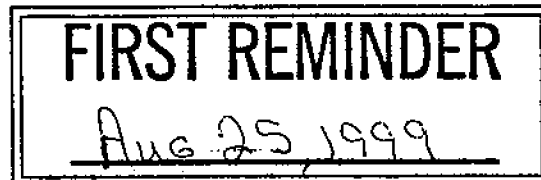
* Patent Agents
* Admitted in MI Only

Greek Wells (1897-1980)

August 11, 1999

Of Counsel
Richard J. St. John
David P. Roberts

Ms. Monica Kesling
Micron Communications, Inc.
8000 South Federal Way
Boise, ID 83706-9632



Re: U.S. Patent Application

"Remote Communication Devices, Radio Frequency Identification Devices, Wireless Communication Systems, Wireless Communication Methods, Radio Frequency Identification Device Communication Methods, and Methods of Forming a Remote Communication Device"

Your Reference: 97-1389

Our Reference: MI40-195

Dear Monica:

Enclosed is a complete copy of the above patent application, together with a Declaration, Assignment and Power of Attorney by Assignee. If the application correctly presents the invention, please see that the Declaration and Assignment are signed where indicated by each inventor. Please be reminded that, according to PTO rules, an inventor's signature on the Declaration must appear *exactly* as it is typed. Should the application require revision, please contact me. The Power of Attorney by Assignee and Certificate by Assignee should be executed on behalf of Micron Communications after execution of the application papers by the inventors.

Our patent laws require that the application be filed in the PTO within one year of the first public or commercial use of the invention, its first disclosure in a printed publication, or the first offer of a product of the invention for sale. Any such events should be called to my attention.

Also, everyone involved in filing a patent application has a duty to disclose pertinent background information (prior art) on the invention to the PTO. We are required to disclose all prior art that the PTO might consider pertinent in evaluating patentability of the invention. Failure to do so can jeopardize the validity of an issued patent.

Ms. Monica Kesling
August 11, 1999

Wells, St. John, Roberts,
Gregory & Matkin P.S.

We will mail you a complete copy of the signed version of the application within a few days after it is filed with the Patent and Trademark Office.

We appreciate the opportunity to serve you in preparing this application. Please call if you have any questions.

Very truly yours,



James D. Shaurette

JDS:plp

Enclosures: Draft Patent Application and Drawings; Declaration; Assignment; Power of Attorney by Assignee

Copy: Freddie W. Smith (w/application and drawings)
Dirgha Khatri (w/application and drawings)
Michael L. Lynch, Esq. (w/application and drawings)